

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CITIGROUP INC.,

Petitioner,

-v-

LUIS SEBASTIAN SAYEG SEADE,

Respondent.
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21 Civ. 10413 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On December 6, 2021, Petitioner Citigroup Inc. filed a petition to compel arbitration and asked for equitable relief to enjoin Respondent Luis Sebastián Sayeg Seade “from commencing or prosecuting any action or proceeding, in Mexico or elsewhere, arising out of or related to . . . Citigroup’s Discretionary Incentive and Retention Award Plan, as amended and restated effective as of January 1, 2015 and Citigroup’s Capital Accumulation Program and Deferred Cash Award Plan each awarded to Sayeg on February 14, 2019 and February 15, 2018 (collectively, the ‘Plans’) other than in the arbitration now pending in New York entitled: Citigroup Inc. v. Luis Sebastián Sayeg Seade, AAA Case No. 01-21-0017-7441,” “directing Sayeg to immediately cease the prosecution of and dismiss any such proceeding,” and “compelling Sayeg to arbitrate any disputes between the parties” in that arbitration. Dkt. 1 at 8. On December 17, 2021, the Court entered a Temporary Restraining Order against Sayeg. *See* Dkt. 20. On December 22, 2021, the Court entered a Preliminary Injunction against Sayeg. *See* Dkt. 22. The Court noted in the Preliminary Injunction that if the Court did not receive any opposition to the petition to compel arbitration by January 5, 2022, “the petition to compel arbitration will be considered unopposed.” *Id.* at 2.

The parties shall appear for a teleconference on January 20, 2022, at 11:00 a.m. At the


scheduled time, counsel for all parties should call (866) 434-5269, access code 9176261. The parties should be prepared to discuss at the teleconference the petition to compel arbitration and whether the Court should continue and expand the Preliminary Injunction. Some of the issues that the parties should be prepared to discuss include:

1. How the Court should analyze whether Sayeg has refused to arbitrate given his lack of appearance and Citigroup's claim that the parties delegated the arbitrability issue to an arbitrator;
2. Whether Sayeg has appeared in the arbitration captioned *Citigroup Inc. v. Luis Sebastián Sayeg Seade*, AAA Case No. 01-21-0017-7441;
3. If the Court compels arbitration, and given Citigroup's claim that the parties delegated the arbitrability issue to an arbitrator, whether the Court should compel Sayeg to immediately cease prosecuting claims in the Mexican Action and, if so, which claims that order should apply to; and
4. Whether the Court should stay the case if it compels arbitration.

Citigroup shall immediately serve a copy of this Order on Sayeg, with proof of service filed on the docket no later than January 13, 2022.

SO ORDERED.

Dated: January 11, 2022
New York, New York



JOHN P. CRONAN
United States District Judge